THIS WEEK'S FORUM: PAGE 13

R4000-2

NEW JERSEY
The state board of education has extended for five years a controversial mandate that schools provide a 'family-life' curriculum, despite vigorous opposition from a parents' group that claimed the requirement violates their religious rights.

See Page 5.

TENNESSEE
In his state-of-the-state address, Gov. Lamar Alexander has urged local school districts to promote more choice for parents in public education, calling the concept one of the four major challenges the state must address in the next decade.

See Page 6.

ARKANSAS
The state Senate defeated a House-approved bill that would have repealed a law requiring recertification tests for all teachers, but the Arkansas Education Association continues to work to overturn the legislation in the courts.

See Page 9.

EDUCATION WEEK

American Education's Newspaper of Record Volume IV, Number 26 · March 20, 1985

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Fewer Women Now at Helm of Independent Schools

'The Case of the Disappearing Headmistress'

By Lynn Olson

When the National Association of Principals of Schools for Girls was formed in 1915, all of its members were women. Today, 200 of the organization's 268 member schools are run by men.

The decline in the number of women heading independent schools has been so sharp in the last 15 years that many refer to it as the case of the "disappearing" headmistress.

Officials trace the shift to the 1960's, when enrollment dropped in independent schools and a number of boys' and girls' schools merged or became coeducational to bolster ailing bank accounts. Since then, boards of trustees at school after school, including all-girl schools, have named men to their top posts—some say, because they believe that men cope better with finances and administration than women do.

In the last few years, the shrinking number of women leaders has become of such great concern to national organizations like the N.A.P.S.G. that they have passed resolutions, organized conferences, and arranged workshops to try to help women move into school administration and give them the skills they need to stay there.

This month, for example, the annual conference of the National Association of Independent Schools focused on the role of women faculty members and the place of women in the curriculum.

The Isolated Few

Of 680 schools responding to a study now being completed by the N.A.I.S., 457 are headed by men and 83 by women, according to Adèle Q. Ervin, director of external affairs.

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SCHOOL BUSH SEATTLE

At Seattle's Bush School: The memory of founder Helen T. Bush.

Study Panel Backs National Test for All New Teachers

Also Endorses 5-Year Teacher-Training Plans

By Cindy Currence

WASHINGTON—A newly formed group of educators and policymakers that includes high-level representatives of the two major teachers' unions last week endorsed a proposal for a rigorous national proficiency examination for licensing new teachers and the extension of teacher-training programs to five years.

The group met for the first time last week at a daylong "summit on teaching" convened here by the American Enterprise Institute for Public Policy Research, a nonprofit research institute in Washington, and the National Center for Education Information, a private publishing firm also based here.

Participants included such prominent education leaders as Secretary of Education William J. Bennett, who gave the keynote

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U.S. Leads Developed Nations in Rate of Teen-Age Pregnancy

Abortion Rate Also Found Disproportionately High

The United States leads most developed nations in rates of teen-age pregnancy, abortion, and childbearing and is the only developed country where the rate of teen-age pregnancy has been increasing, according to a new international study.

The U.S. rate of teen-age abortion alone, the study found, is as high or higher than the combined teen-age abortion and birth rates in each of five other of the world's most advanced nations.

The study—by the Alan Guttmacher Institute, a nonprofit organization for research, policy analysis, and public education—found that pregnancies, abortions, and births involving American teen-agers substantially exceed the rates for teen-agers in Canada, England and Wales, France, the Netherlands, and Sweden.

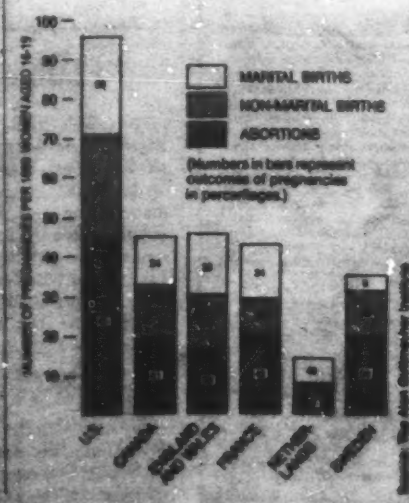
See related story, page 5.

The study was based on a close analysis of fertility statistics in those countries in comparison with U.S. figures, and on a broader survey of birth rates in 37 nations. Among the broader group of countries, only Eastern European nations—such as Hungary, Bulgaria, and Romania—and Chile, Cuba, and Puerto Rico were found to have teen-age birth rates exceeding those of the United States.

In those countries, however, the researchers cited contributing characteristics

Continued on Page 13

Pregnancy Rates and Outcomes, 15-19-Year-Olds, 1980-81



Bills Back Legal Fees Under P.L. 94-142

By Alina Tugend

WASHINGTON—Parents of handicapped children told a House subcommittee last week that if the Congress fails to pass a bill allowing awards of legal fees in special-education lawsuits, the federal law protecting handicapped students "will become an empty promise."

The awarding of lawyers' fees became a matter of concern to special-education advocates last year, when the U. S. Supreme Court ruled in *Smith* v. *Robinson* that parents who win cases under P. L. 94-142, the Education for All Handicapped Children Act of 1975, cannot win legal fees for similar claims filed simultaneously under Section 504 of the Rehabilitation Act of 1973. *(See Education Week, Aug. 22, 1984.)*

The earlier law broadly protects the rights of all handicapped individuals against discrimination; P. L. 94-142, which specifically addresses education for the handicapped, is more comprehensive and sets forth the fundamental rights and pro-

Continued on Page 13

Educators Preparing To Fight Proposed Tax-Reform Plan

By J. R. Sirkin

Although the Treasury Department tax-reform package announced last fall has yet to be endorsed by the White House and has taken a back seat to the deficit, educators facing federal budget cuts have been gearing up to fight it for months.

The nation's chief state school officers are expected this week to oppose a key provision of the reform package, labeling it "dangerous to education."

See related story on page 8.

John Martin, director of federal-state relations for the Council of Chief State School Officers, said last week that he anticipates the chiefs' legislative committee will adopt a resolution condemning "any limitation on or elimination of" the deductibility of state and local taxes.

The sweeping Treasury reform package would substitute lower personal-income-tax rates for the elimination of many

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IN SUMMARY

Sweet Charity
Private- and parochial-school leaders are concerned that an Administration proposal to eliminate the tax deduction for charitable donations will severely reduce their revenues. Story on Page 8.

A Message for the President
If the United States is to succeed in international economic competition, it must encourage education reform and technological innovation, argues a business-education task force. Story on Page 8.

Sessions End
Several state legislatures have adjourned after approving more school funds and such education initiatives as career ladders, dropout-prevention programs, and home-schooling bills. Story on Page 9.

'Confused Condition'
Secretary of Education William J. Bennett is urging schools to consider changing their curricula to stress core studies that would provide a "coherent" education for all students. Story on Page 10.

The Battle of the Budget
A Senate committee, controlled by Republicans, has proposed a smaller cut in aid for college students but $400 million in aid cuts for precollegiate education. Story on Page 10.

Negative on Affirmative Action
In a District of Columbia case, the Administration, for the first time, has initiated a lawsuit aimed at overturning a hiring-and-promotion plan involving quotas. Story on Page 10.

Let the Bidding Begin
In the competition for $65 million in grants to establish N.I.E. research centers, a few universities in the Midwest and East have taken the lead by winning 14 of 36 planning grants. Story on Page 11.

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FORUM
"Tracking the Reforms: Part 3: Principals' Academies — Training the Leaders," Education Commission of the States.
Statement on Page 18.

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THE WEEK

NATIONAL

A.F.T. Establishes National Panel on School Violence

The American Federation of Teachers has established a national commission on school violence to "take a close look at the extent of the problem and develop reasoned recommendations" to deal with it, according to the union's president, Albert Shanker.

The new commission will be advised by national experts on the problem, Mr. Shanker said last week, including Oliver Moles, senior research specialist on the National Institute of Education's safe schools project, and Gary Gottfredson, director of the Program on Delinquency and School Environments at the Johns Hopkins University's Center for Social Organization of Schools.

The school-violence commission began its work in Detroit last week, conducting the first of a series of three hearings. Arthur Jefferson, Detroit's superintendent of schools, and Phillip E. Runkel, the state superintendent, were scheduled to testify.

Testimony from this and subsequent hearings will provide the basis for a set of recommendations that will be released in May on dealing with school violence, said Scott Widmeyer, a spokesman for the A.F.T..

STATES

Indiana Chief Said To Have Misused Campaign Funds

The Indiana Ethics Commission is scheduled to discuss this week whether to investigate charges that the state's superintendent of public instruction solicited campaign money from employees and used campaign funds for personal use.

The Indianapolis News, after a three-month investigation of reports filed with the state elections board, has charged that Superintendent Harold H. Negley, an elected Republican official, misused campaign funds.

John B. Livengood, Democratic chairman, has asked the state ethics panel to investigate the allegation. Mr. Livengood has also called on Mr. Negley to dispel the charges or resign from office. And he has asked a group of educators and other citizens to work on setting up a system for finding an interim superintendent should Mr. Negley step down or be removed from office.

"[Mr. Negley] is so bogged down in this thing that the educational interests in the state are not being handled as they should be," Mr. Livengood said. "We need a strong advocate for education and we just don't have that."

Although criminal charges have not been filed at this time, a grand jury has convened to investigate the situation.

Neither the superintendent nor his aides were available for comment last week.

Consultants Draft Career-Ladder Plan For Delaware Schools

A career-ladder plan for Delaware teachers that was drafted by a Washington, D. C., consulting firm under contract with the state has been presented to the legislature.

The plan calls for a new statewide evaluation process and the awarding of bonuses to teachers who receive high ratings.

The consulting firm's plan, called for by a gubernatorial task force and paid for by the legislature, would increase the base pay for all teachers by an average of $1,500 over a three-year period and establish three career "rungs" for advancement, according to A. Douglas Rothwell, director of labor relations for the governor's office.

To be eligible for the career ladder, candidates would have to have eight years of teaching experience and have completed the three-year probationary period required of new teachers in the state.

After five years, a teacher who had advanced to "career level two" would make $3,000 more than the base salary, Mr. Rothwell explained; a teacher who had advanced to "career level three" would make $6,000 more than the base.

The firm of Cresap, McCormick, and Paget Inc. has recommended a six-year phase-in period; the firm estimates that the program would cost $4.2 million in its first year and $21.2 million each year after it is fully implemented.

Legislation based on the plan, which has been strongly criticized by the Delaware State Education Association, is now being drafted, Mr. Rothwell said.

Idaho Citizens Request Increased Education Funding

A group of 118 Idaho citizens, in a full-page paid advertisement in the *Idaho Statesman* this month, encouraged legislators to increase funding for public schools and the state's colleges and universities.

The group, which identified itself as "Business Leaders and Other Citizens Concerned for Education," called on the Republican-dominated legislature to fund precollegiate education at $319.5 million, a figure $2.5 million above the 1984-85 appropriation and $13 million above the request of Gov. John V. Evans, a Democrat.

"Our failure to fund education at these levels would not only further damage the [educational] system but would breach the special trust that has in the past existed between Idaho's citizens and educators," according to the advertisement.

Those signing the advertisement included business leaders, former state legislators, newspaper publishers, and broadcast executives.

'Silence' Law Barred in West Virginia

A federal district judge struck down West Virginia's five-month-old "moment-of-silence" law last week, calling it "a hoax conceived in political expediency."

The law, which was overwhelmingly approved by state voters as a constitutional amendment last November, runs afoul of the First Amendment because it "both advances and inhibits religion and fosters an excessive government entanglement with religion," said U. S. District Judge Elizabeth Hallanan in her March 14 ruling.

The amendment to the West Vir-

Clarification

An article in the Feb. 20 issue quoted David Weikart, president of the High/Scope Foundation of Ypsilanti, Mich., as saying that the amount spent on early-childhood education in the United States has increased from $3 billion at the start of the 1960's to 7.5 billion this year. Mr. Weikart said the $9-billion figure would not be attained until 1990.

Correction

It was incorrectly reported in the Feb. 20 issue that Japan is the United States' biggest trading partner and that its gross national product is 75 percent of the United States'. Japan is America's second-largest trading partner, after Canada; its G.N.P. is 75 percent of America's on a per-capita basis.

□

An article in the Feb. 13 issue incorrectly reported that current funding for the science-education directorate within the National Science Foundation comes from the Education for Economic Security Act passed by the Congress last summer. Although the Congress authorized money for the directorate under that act, none was appropriated. The directorate's current funding comes from the regular N.S.F. appropriation.

Congress Asked To Restore Legal Fees in Special-Education Suits

Continued from Page 1

cedures to protect the rights of handicapped children in schooling.

However, P. L. 94-142 does not explicitly provide for the awarding of legal fees. In general, parents alleging bias against their handicapped children in education also have alleged violations of Section 504, which does provide for the awarding of legal fees.

The Congress has authorized attorneys' fees in virtually all other civil rights actions brought under federal law; therefore, advocates say that the Congress originally intended to allow such fees but simply failed to make it clear in the law.

Although the Court focused on the issue of legal fees in the *Robinson* case, it also stated that "Congress intended [P. L. 94-142] to be the exclusive avenue through which a plaintiff may assert an equal-protection claim to a publicly financed special education," thus precluding the possibility of parents filing claims under Section 504.

'Restore the Balance'

Two bills, one introduced in the House by Representative Pat Williams, Democrat of Montana, and another in the Senate earlier in the month by Senator Lowell P. Weicker Jr., Republican of Connecticut, attempt to "restore the careful balance between parent and educational agency that Congress intended to be in place," Representative Willliams said at last week's hearing before the House Subcommittee on Select Education.

Last year, a similar House bill and an identical Senate bill were introduced, but both died in committee, largely owing to time constraints posed by the election and to confusion over the scope of the bills, according to legislative aides.

"I believe [the House bill] is a much improved version of the original bill, because we had time to digest the implications of possible statutory provisions, to talk to each other about our common and unique concerns, and most important, to hear from parents of handicapped children and school officials," said Representative Steve Bartlett, Republican of Texas.

Organizations' Backing

The House bill has the backing of the National School Boards Association, the Council for Exceptional Children, and most special-education advocacy groups.

"I am convinced that without the act being amended to include a reasonable award of attorneys' fees to prevailing parties in any action dealing with [P. L. 94-142], parents will be unable to challenge their school district's decisions, and the act will become an empty promise to the handicapped children of America," said Beverly Galarza of San Antonio, Tex., who fought a five-year battle to secure year-round schooling for her handicapped son.

State Directors Unsure

The National Association of State Directors of Special Education has not yet endorsed either bill.

William Schipper, president of the association, said there are "a lot of gray zones in the Senate bill, and a couple that remain in the House bill," particularly with respect to when legal fees can be awarded.

"As I understand the intent of the bills, it is to reimburse parents for out-of-pocket costs, for having to go to court to right a wrong, which seems fair and proper," he added. "The question is if the Congress can draft legislation that meets that intent without causing more problems."

Areas of Contention

The major focus of debate over the House bill is whether it should allow awards of legal fees for work done in state-level administrative hearings as well as in judicial proceedings.

P. L. 94-142 established a due-process procedure for cases to be heard administratively. According to national figures from NASDE, about 1,400 first-level hearings are conducted annually, and about 60 of these result in litigation.

"At the administrative level, which is mandatory and critical, the school district will always be represented by counsel," Ms. Galarza told subcommittee members. "Issues are no less complex and evidence no less important than before a court. Without an attorney, parents have little chance of prevailing despite the merits of their case."

Clarification Requested

However, Jean Bilger Arnold, representing the National School Boards Association, testified against the awarding of legal fees at the administrative level, arguing that "whenever there is the possibility of recovering legal fees, the presence of attorneys inevitably increases."

Both sides asked for clearer language in the House bill, which now simply states that courts can award legal fees but does not restrict the award to costs incurred in court proceedings.

The Senate bill would allow the award of legal fees at the administrative level.

Before *Smith* v. *Robinson*, "legal fees could be awarded at the administrative level," said Carl White, legislative aide to Senator Weicker, chairman of the Senate Subcommittee on the Handicapped. "We wanted the bill to restore the intent of Congress as it was before."

In addition, the House bill differs from the Senate bill in that it specifies that federal funds allocated under P. L. 94-142 cannot be used to pay legal costs. It also offers more detailed guidance concerning the circumstances under which fees can beawarded, and specifies an informal mediation process after a complaint is made.

Dissenting Voice

The only dissenter at the hearing was Linus Wright, general superintendent of the Dallas Independent School District, who represented the American Association of School Administrators.

While Mr. Wright did not oppose the bills, saying that "the draft bill is moving in the right direction," he did say that awarding fees to winning plaintiffs' attorneys "ushers in a whole host of problems."

Mr. Wright charged that the awarding of such fees would encourage lawsuits in special education, and that "once attorneys are involved, mediation becomes more difficult. An automatic adversarial relationship immediately is birthed."

The superintendent said that if legal fees are offered, the law should limit them. Neither bill now places a cap on fees.

According to a report prepared by the General Accounting Office at the request of Senator Weicker, legal fees were awarded under Section 504 in 10 out of 18 individual cases identified. In the six cases for which information on amounts awarded was available, the legal fees totaled $63,337, ranging from $2,860 to $36,465, the report said. Advocates of the bills use the figures to prove that most attorneys' fees awarded, with some exceptions, are generally low.

U.S. Teen Pregnancy, Abortion Rates Found High

Continued from Page 1

of early marriage, pro-fertility policies, and generous maternity benefits that are not found in the United States.

Among the nations selected for further analysis on the basis of comparable cultural and socioeconomic factors, the United States showed disproportionately high rates of teen-age pregnancy, abortion, and childbirth.

Rate for Whites High

Noting a large differentential within the United States between the pregnancy rates of black teen-agers and white teen-agers (163 per 1,000 compared with 83 per 1,000, respectively), the report points out that the rates of pregnancy, abortion, and births for white teen-agers alone are much higher than the overall rates in most industrialized nations.

The U.S. pregnancy rate for 15-to-19-year-olds is 96 per 1,000, compared with 45 in England and Wales, 43 in France, 35 in Sweden, and 14 in the Netherlands, according to the study.

Moreover, the contrast in rates among these six countries "is particularly striking for young teen-agers," the report states. "In fact, the maximum relative difference in the birthrate between the United States and other countries occurs at ages under 15. With more than five births per 1,000 girls age 14, the U.S. rate is around four times that of Canada, the only other country with as much as one birth per 1,000 girls of comparable age."

The study was conducted with the assistance of researchers from Princeton University's office of population research and was funded by the Ford Foundation. A report on the findings is contained in the March/April 1985 edition of the institute's journal, *Family Planning Perspectives*.

U.S. Characteristics 'Differ'

In gathering statistics on the 37 countries, the researchers found several factors that they say correlate with adolescent fertility: low levels of socioeconomic development; national policies that encourage childbirth; generous maternity leaves and benefits; and early marriage.

"It is notable," the report states, "that the United States differs from most of the countries with comparable high adolescent fertility" on these factors. On the other hand, the study pointed to several characteristics that are associated with high teen-age fertility and are distinctly present in the United States, according to the report, including "a lack of openness about sex," "very high levels of religiosity," and restrictions on teen-agers' access to contraception devices and on information about sex and birth control in the schools.

Attitudes, Not Policies

The researchers argue on the basis of their data that access to abortion services, liberal welfare benefits, and greater availability of birth control and sex education do not lead to more abortions or a higher pregnancy rate.

In fact, the report states, those countries that have the most liberal attitudes about sex and make contraceptive and counseling services most accessible to teen-agers have the lowest rates of teen-age pregnancy, abortion, and childbearing.

The report concludes that "where the birth rate is lower, the abortion rate also tends to be lower."

"The debate in this country keeps coming back to sexual activity, but the data show that sexual activity is not the key variable," said Barbara Parks, a spokesman for the Alan Guttmacher Institute. "Most important are other more elusive variables involving adult attitudes. American adults are sending very mixed messages to teen-agers."

—M.W.

Private Schools Oppose Tax-Reform Plan

Continued from Page 8

research indicates, schools would be most adversely affected.

Giving to higher education would drop by 30 percent, or $2.98 billion, Mr. Smucker estimated. Other giving to education, including gifts to precollegiate private education, would drop by 37 percent, according to the research, representing an annual loss of $950 million.

Task Force Formed

Concern over the tax plan has prompted representatives from such CAPE organizations as the N.A.I.S., the National Society for Hebrew Day Schools, and the U. S. Catholic Conference to form a task force to address tax matters, particularly the Treasury's proposal.

The task force is working with Independent Sector to make sure that private schools' interests are considered by lawmakers.

It is also seeking to keep private-school educators informed about the status of various federal tax-reform proposals.

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